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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

KIEWIT CONSTRUCTORS, INC.,

Case No. 08-CV-3946 (LAP)

Plaintiff,

v.

BUILDING, CONCRETE,
EXCAVATING & COMMON
LABORERS UNION LOCAL NO. 731,
OF GREATER NEW YORK,

Defendant.

CERTIFICATION OF SERVICE

I hereby certify that pursuant to the Local Rules, I caused to be served upon the following party a copy of Defendant's Notice of Cross-Motion to Compel Arbitration; Affidavit of Mark I. Silberblatt, Esq., with attached Exhibits 1 through 9; Defendant's Memorandum of Law in Opposition to Plaintiff's Complaint and Motion for an Order to Show Cause Staying and Vacating Arbitration and in Support of Cross-Motion to Compel Arbitration; Proposed Form of Order and Judgment; and the within Certification of Service, through electronic filing and via regular mail to:

Mark A. Rosen, Esq.
McElroy, Deutsch, Mulvaney, & Carpenter, LLC
Wall Street Plaza
88 Pine Street, 24th Floor
New York, New York 10005

In addition, two courtesy copies of the above mentioned motion papers have been mailed to the Chambers of the Honorable Loretta A. Preska, at Daniel P. Moynihan U.S. Courthouse, 500 Pearl Street, Room 1320, New York, New York 10007.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: May 27, 2008



Mark I. Silberblatt